

SENATE BILL REPORT

SB 5203

As Reported by Senate Committee On:
Human Services, Mental Health & Housing, February 6, 2017

Title: An act relating to allowing youth courts to have jurisdiction over transit infractions.

Brief Description: Allowing youth courts to have jurisdiction over transit infractions.

Sponsors: Senators Wilson, Hobbs, Pedersen, Wellman, Palumbo, Darneille and Keiser.

Brief History:

Committee Activity: Human Services, Mental Health & Housing: 1/24/17, 2/06/17 [DPS].

Brief Summary of Substitute Bill

- Adds transit infractions to youth court's jurisdiction.
- Authorizes youth court to hear transit infractions related to 16 and 17 year-olds with no prior infractions
- Allows district and municipal courts to create a youth court.

SENATE COMMITTEE ON HUMAN SERVICES, MENTAL HEALTH & HOUSING

Majority Report: That Substitute Senate Bill No. 5203 be substituted therefor, and the substitute bill do pass.

Signed by Senators O'Ban, Chair; Darneille, Ranking Minority Member; Padden and Walsh.

Staff: Melissa Burke-Cain (786-7755)

Background: Washington's youth courts are part of a broader youth court initiative in the United States. There are over 1400 youth courts nationally. Young people may be deferred to youth court for hearing and sentencing of traffic and other juvenile offenses by their peers. Teens volunteer to participate in youth court. A teen must acknowledge there is a high likelihood that they would be found to have committed the infraction to be eligible for youth court to hear the case. A matter may be deferred to youth court if the teen is 16 or 17 years of age, has no previous criminal or traffic convictions, and no previous matter in a youth court. Volunteers run the youth courts and as a result, the juvenile justice system may save money.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Under current law, traffic infractions committed by 16 and 17 year old juveniles may be referred to youth court for disposition.

Summary of Bill (First Substitute): Transit infractions may be heard and disposed of in youth courts under the same conditions that apply to traffic infractions deferred to youth courts. Transportation agencies operated by metropolitan municipal corporations, city-owned transit systems, public transportation benefit areas, or regional transit authorities issue transit infractions. A district or a municipal court may create a youth court. A juvenile court retains authority to divert cases to a youth court.

EFFECT OF CHANGES MADE BY HUMAN SERVICES, MENTAL HEALTH & HOUSING COMMITTEE (First Substitute):

- Defines a transit infraction as one issued by a transportation agency operated by a metropolitan municipal corporation, a city-owned transit system., a public transportation benefit area, or regional transit authority.
- Adds district and municipal courts to the courts authorized to create a youth court.
- Preserves juvenile court diversion authority to refer cases to youth court.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: The impetus for the bill was a judicial suggestion. Transit fare non-payment infractions were being heard in the district courts taking up a judicial and court resources. For those citations involving 16 and 17 year olds, with no prior traffic or criminal convictions, deferring transit cases to youth court would serve similar goals as the traffic infraction cases currently deferred to youth courts. The bill may need to have some updates to identify internal references elsewhere in statute that should be addressed.

Persons Testifying: PRO: Melanie Stewart, District and Municipal Court Judges Association; Sam Meyer, District and Municipal Court Judges Association.

Persons Signed In To Testify But Not Testifying: No one.